have in our country. After nationalization, when the Government took them over, this was a herculean task that Coal India and other mining agencies had to face. So, will the hon. Minister assure this House that when this process is going on, she will take care and precaution to see that the conditions of these mines are preserved and that these resources are not destroyed by unscrupulous private entrepreneures who may just abandon them and do it for money.

Secondly, Sir, when you start giving them to private operators, you have to give them both. You can't give them the good mines and leave only the difficult mines for the Government. Will these facts be taken into consideration or not? This is what I would like to know from the hon. Minister.

श्रीमती कांति सिंहः सर, मैं माननीय सदस्य की बातों से सहमत हूं और जैसा उन्होंने सुझाव दिया, उसी के अनुसार हम लोग काम कर रहे हैं।

Proposal to Amend the ESI Act

*26. SHRI GURUDAS DAS GUPTA:
SHRI GAYA SINGH:†

Will the Minister of LABOUR be pleased to state:

(a) whether Government are considering a proposal to amend the ESI Act, increasing to salary ceiling from Rs. 3000/- to Rs. 6500/-;

(b) if so, the details thereof;

(c) whether Government are aware that some establishments are offering better benefits to its workers than offered by ESI; and

(d) if so, whether Government has proposal to exempt such establishments from the purview of ESI Act?

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†The Question was actually asked on the floor of the House by Shri Gaya Singh.

THE MINISTER OF LABOUR (SHRI M. ARUNACHALAM): (a) to (d) A statement is laid on the Table of the House.

Statement

The Labour Ministers' Conference of major States in a meeting held on 4.10.96 recommend enhancement of the wage ceiling for coverage under the ESI Scheme from Rs. 3,000/- to Rs. 6500/- per month. This was considered and recommended by the ESI Corporation in the meeting in October, 1996. The Central Government accepting the recommendation has enhanced the wage ceiling under the ESI Scheme from Rs. 3000/- to Rs. 6500/- per month with effect from 1.1.1997.

The ESI Scheme provides for grant of sick leave on half pay for a period up to 91 days in a year. In the case of chronic illness the extended sick leave is also granted on 70 per cent of the pay for a period of upto two years. In the case of death/disablement due to employment injury the scheme provides for payment of monthly pension at the rate of 70% of the wages. In addition, the ESI Scheme also provides for full medical care and certain other benefits to the Insured Persons and their families. Generally the benefits provided under the ESI Scheme taken in totality are comprehensive and better than the benefits offered by individual establishment coverable under the ESI Act. However, if any establishment providing similar or superior benefits seeks exemption the same is considered on merit by the appropriate Government in consultation with the ESI Corporation.

श्री गया सिंहः सभापति महोदय, मंत्री जी ने क्वेश्चन के पार्ट-क का तो जवाब दिया है लेकिन पार्ट-ख का जवाब नहीं दिया है। मैं आपके माध्यम से मंत्री जी से जानना चाहता हूं कि जिस सिफारिश को लागू करने के लिए पार्ट-क में उन्होंने कही है उसमें दूसरी सिफारिश भी है। चूंकि आज पूरे देश में इनके जो अस्पताल है उनकी बहुत बुरी हालत है। वहां डाक्टर नहीं है, दवाई नहीं है, कोई साधन

नहीं है। लेकिन उसमें जो सिफारिश थी उसमें तीन हजार से साढ़े छः हजार तो कर दिया लेकिन उसमें दूसरी सिफारिशों की चर्चा नहीं है। जो पार्ट-ख में सवाल किया गया है कि आज बहुत सारे प्रतिष्ठान जहां कि उनका अपना अस्पताल है खास तौर से पब्लिक सैक्टर में जहां साढ़े छः हजार कवर किया है, तो क्या मंत्री जी यह बता सकते हैं कि जो पार्ट-ख में कहा गया है कि वैसे प्रतिष्ठान जो आपसे मुक्ति चाहते हैं और बेहतर सुविधा अपने कर्मचारियों को देना चाहते हैं उनको आप मुक्ति दे सकेंगे, और इसका दूसरा पार्ट है, आपने जो 91 दिन की छुट्टी की सुविधा दी है और दूसरे, अस्पतालों में आपकी इंस्ट्रक्शन गई हैं कि पहले जो छुट्टी मिलती थी अब ढाई परसेंट ही छुट्टी देना है, दिखाने के लिए 91 दिन आपने कहा है। तो मैं यह आपसे जानना चाहता हूं कि क्या यह आपकी वहां इंस्ट्रक्शन है ढाई परसेंट छुट्टी 91 दिन के बदले में और दूसरा, वैसे प्रतिष्ठानों को आप छूट देने के लिए तैयार हैं या नहीं?

SHRI M. ARUNACHALAM: Sir, I agree with the hon. Member that the medicines in ESI hospitals are in short supply. These hospitals are being administered by the State Governments. We have taken it up with the State Governments time and again. We are again trying to have an agreement with the State Governments. We are proposing a pilot scheme to take away two or three hospitals from the State Governments and monitor them from the Centre.

Sir, coming to the exemption part of the question, if the organisations are having better facilities than the ESI facilities, the appropriate Government is competent to give exemptions.

श्री गया सिंह: सभापति महोदय, मंत्री जी ने राज्य सरकार की चर्चा की है। मैं मंत्री जी से स्पष्ट कहना चाहता हूं कि राज्य सरकार को भी इसमें कुछ अंश देना है और राज्य सरकारें अपना अंश नहीं दे रही हैं जिसके चलते आज अस्पतालों की बुरी हालत हो रही है।

महोदय, आज हालत यह है कि राज्य सरकार के माध्यम से जो पैसा मिलना है, वह नहीं मिल रहा है जब कि कर्मचारियों और मैनेजमेंट, दोनों का अंश जमा हो रहा है लेकिन उन्हें फैसिलिटीज़ नहीं मिल रही हैं। केवल एक साल से नहीं, बल्कि कई सालों से नहीं मिल रही है। तो इस बारे में आपकी कोई स्कीम है या आप कुछ सोच रहे हैं?

SHRI M. ARUNACHALAM: Sir, as I said, the administration of the ESI hospitals is done by the State Government. The State Government's share is one-eighth of the expenditure of the hospitals. Of course, there are dues from some State Governments. We are making efforts to get back that money from the State Governments.

Sir, from the Delhi Government alone, crores of rupees have to come to the ESI Corporation. We are trying our best to reimburse all this money.

SHRI G. SWAMINATHAN: Sir, I may bring to your notice that most of the workers and those whose pay packet has been raised to Rs. 6,500/-, are unwilling and unhappy to join the ESI because not only all the medicines but attention and other facilities also are very much lacking in the hospitals. Somehow, the companies want to insure their workers and also their officers under medi-claim so that they may be able to get the facilities, whatever they are, through the insurance. Will the Government think of that and will they also do something about it?

SHRI M. ARUNACHALAM: Sir, the ESI benefit is one of the social security schemes in the world. As far as the exemptions which you have mentioned are concerned, I have already answered it while replying to an earlier question.

SHRI G. SWAMINATHAN: Sir, rgarding the exemption what the hon. Minister has mentioned is that the company itself is able to give such facilities; the State Government can exempt that, but the companies want to insure their workers and officers, and also the clerical staff up to Rs. 6,500/- under medi-claim and other insurance policies. Will the Government accept it?

SHRI M. ARUNACHALAM: Sir, I have to study this.

SHRIMATI RENUKA CHOWDHURY: Sir, a part of my question has

been asked by my hon. colleague, but I only want to endorse the fact—we are all trade union leaders and we face this problem continuously—that the facilities are inadequate in ESI hospitals and they are not update, both in technology and post-medical care.

I appreciate that ESI is one of the most eloquent schemes in the world. However, we are falling behind in India in technology, and more and more workers resent that they are forced to go to ESI where we have neither the technology nor the medical care update, nor the facilities, and we have no option to go to any other insurance scheme. There are other hospitals which give facilities to the workers. As my hon. colleague said, the companies themselves are looking for options. So, I think that the hon. Minister should be directed, through you, Sir, that there should be a collective thought and a cut-off date by which we can execute this simultaneously, the Government is also going in for various public sector disinvestments, and various multinationals which are coming to India. We ought to have a comprehensive view of what they are going to do. Sir, through you, I request the Minister to give us a commitment now as to a time-frame...*(Interruptions)*...

SHRI M. ARUNACHALAM: Sir, I don't know. I will discuss with my colleagues and I will come to the House.

SHRI G. SWAMINATHAN: Sir, it is not a private matter between the Minister and his colleague. We must also know what he will discuss. *(Interruptions)*... We would also like to know what he will discuss with her. We must also know that.

SHRIMATI RENUKA CHOWDHURY: They all feel left out.

MR. CHAIRMAN: Shri Jibon Roy.

SHRIMATI RENUKA CHOWDHURY: It should be transparent.

SHRI JIBON ROY: Mr. Chairman, Sir, no doubt the ESI Scheme is an important social security scheme in our country. A lot of improvement is required. But they have suddenly raised the ceiling from Rs. 3,000 to Rs. 6,500 and, probably, this would cover more than 50% of the Indian worktorce and those who have not so long been covered by the ESI Scheme will come under this scheme. It was not functioning in vacuum for so many years. Some system was there. While changing that, they have discussed it with the State Governments. But they have not discussed it with the trade unions. it is very unfair. It is very bad. The trade unions understand what the complications involved are. Iwant to know from the hon. Minister whether the workers in those industries where there are free medical facilities have to contribute. When one switches over from non-ESI to ESI, the worker has to contribute as also the management has to contribute. In a large number of industries free medical facilities are given to the employees. I would like to know whether in those cases the employees will be automatically brought out of the ESI Scheme and the existing system will be allowed to continue. If it is not done, there will be a serious unrest on the industrial scene.

SHRI M. ARUNACHALAM: Sir, it is not the medical facilities alone. It is covering other benefits also. The hon. Member has to see that aspect also.

SHRI JIBON ROY: If other benefits are also there in ESI, those are available in these industries also which are exempted.

Leave and other things are provided in model standing order also. You have to deal with the issue as a whole.

SHRI M. ARUNACHALAM: If any organisation is having a more beneficial scheme than the ESI scheme, the concerned Government will give exemption. There is no bar on that.

SHRI JIBON ROY: The other part of the question is this, Sir. Before implementing this they have not discussed with the trade unions. I would like to know whether they will discuss it with the trade.

unions at this stage. They might have discussed it in the Government committee. But they have not discussed it with the trade unions. They have not called any meeting of the trade unions.

MR. CHAIRMAN: The Minister is replying.

SHRI M. ARUNACHALAM: I will answer that, Sir. I have said in my main answer itself that we have discussed it with the State Governments at the Ministers' Conference. We have taken up this matter wth the ESI Corporation which is a tripartite body where the trade unions are represented.

SHRI JIBON ROY: I am sorry, the Government has not discussed it at the trade union level.

श्री नरेन्द्र मोहन: चेयरमैन साहब आपका बहुत-बहुत धन्यवाद। मंत्री महोदय ने जो जवाब दिये है, वे बहुत आधे-अधूरे हैं। सवाल यह है कि जब आपने सीमा को बढ़ाकर 6000 कर दिया तो उसमें कर्मचारियों की संख्या भी बढ़ गयी लेकिन उस अनुपात से न तो अस्पताल बढ़ाए गए और न डाक्टर बढ़ाए गए। जो पहले से दुर्दशा इन ई०एस०आई० अस्पतालों की चली आ रही है, वह शिकायत मंत्री जी की पास है। सरकार को इस बात की पूरी जानकारी है कि देश का श्रमिक वर्ग बीमा अस्पतालों की सुविधाओं से संतुष्ट नहीं है। सरकार को यह जानकारी भी है कि श्रमिकों को एक नहीं, अनेक कठिनाइयों का सामना करना पड़ता है और यह अस्पताल न आधुनिक सुविधाओं से सम्पन्न हैं और न ही सरकार के पास ऐसी कोई नीति है, न धन है, न कोई प्रावधान है कि वहां आधुनिक उपकरण लगाए जा सकें। ऐसी हालत में यदि कर्मचारियों की संख्या इन अस्पतालों में बढ़ जाएगी और दूसरी तरफ अस्पताल नहीं है, डाक्टर नहीं है तो सरकार उन्हें कैसे सुविधाएं प्रदान कर सकेगी? क्या सरकार कोई स्पष्ट घोषणा कर सकेगी कि जो भी वहां जाएगा, उसे आधुनिकतम सुविधाएं अवश्य मिलेंगी और कर्मचारियों को निराश नहीं होना पड़ेगा।

SHRI M. ARUNACHALAM: Sir, as I said earlier, as far as medical facilities are concerned, they are being administered by the State Government. We are having interaction with the State Governments to improve the facilities. If any State Government is in need, we are prepared to give all facilities from the ESI Corporation. As far as the number of employees covered, after increasing the ceiling, is concerned, 4,40,000 employees have been included up to 1.1.1997.

When the ceiling was Rs. 3,000, there was a drop. At that time 2,76,200 employees were dropped from the scheme. Therefore, the ceiling has been increased.

श्री नरेन्द्र मोहन: यह तो कोई बात नहीं हुई। क्या कर्मचारियों को राज्य सरकारों की दया पर छोड़ा जाएगा? क्या भारत सरकार का कोई दायित्व नहीं है? भारत सरकार कर्मचारियों से धन लेती है, उद्योगों से धन लेती है और फिर कहती है कि राज्य सरकारें करेंगी, तब हम करेंगे। यह तो अन्याय है, इसका कोई स्पष्ट उत्तर देना चाहेंगे मंत्री जी?

SHRI M. ARUNACHALAM: Not the State Governments. The State Governments are administering the hospitals. The funds are being provided by the ESI Corporation.

श्री नरेन्द्र मोहन: वहां दवाएं नहीं है (व्यवधान)

SHRI M. ARUNACHALAM: We have not left out anything from our side. If there are any lapses, you have the right to point out those lapses. We would like to take them up.

श्री नरेन्द्र मोहन: क्या आपके पास ऐसी कोई जानकारी नहीं है?

SHRI PREM CHAND GUPTA: Sir, I would like to say that increasing the ceiling from Rs. 3,000 to Rs. 6,500 is not a wise move. The factual situation is this. Most of the units have got first-hand medical facilities and on-the-spot treatment is being provided to the workers.

Most of the workers are not very keen to go to the ESI hospitals because of lack of facilities. Further, I would also like to know whether the funds deposited with the ESI Corporation are strictly being used for this purpose or these funds are being used for any other purpose. I would request the hon. Minister to look into it.

SHRI M. ARUNACHALAM: Sir, I will look into it.

MR. CHAIRMAN: Shri T. N. Chaturvedi. Many hon. Members whose names are there, are not present. Therefore, I am allowing one more question.

SHRI TRILOKI NATH CHATURVEDI: Sir, I thank you and I also thank the absentee Members. The reply given by the hon. Minister is formal and ritualistic. It is all the more surprising that a Government which swears by cooperative federalism and better partnership with the State Governments gives this kind of a reply. Part (a) of my question is this. Since the quality of implementation and the character and nature of the scheme have been questioned, as is evident from the questions already put by the hon. Members, will the Minister consider a proposal to have a committee to look this particular problem? Part (b) of my question is this. Since this is a very important ingredient of social assistance programmes, since Beveridge Committee was set up in U.K. and since then we have also been talking about this kind of an effort as was called for, will the Minister consider having some kind of a joint machinery of representatives of States and of the ESI Corporation to ensure that at least the implementation is more satisfactory and if there are obstacles and difficulties on either side, they would be removed expeditiously in the interest of the labour?

SHRI M. ARUNACHALAM: My answer to part (b) of his question is, the ESI Corporation itself is representative of the State Government, the trade unions and the employers. If he has any other suggestion...

SHRI TRILOKI NATH CHATURVEDI: What about a committee?

SHRI M. ARUNACHALAM: I am coming to that. If the House feels that we need a committee, I have no objection.

SHRI TRILOKI NATH CHATURVEDI: Sir, when this matter is discussed in the State legislatures, they blame the Central Government. The Labour Ministry comes under the Central Government. This is Parliament of the country. Rajya Sabha is a Council of States. This kind of a reply here is inadequate. The hon. Minister is very experienced. I know he shares the agony expressed by the hon. Members. Therefore, he should be much more sensitive to the questions which have been put by Shri Gaya Singh and other hon. Members.

SHRI M. ARUNACHALAM: That is what I am saying. If the House so feels, then I am prepared to constitute a Committee to go into the details.

श्री नरेन्द्र मोहन: आप घोषणा कर दें कि समीक्षा करेंगे।

SHRI G. SWAMINATHAN: Will the Minister come forward to convene a meeting of the party leaders so that we can discuss this matter of importance for labourers? Will he come forward to form a Committee of the party leaders of Rajya Sabha so that we can discuss this matter with the Minister?

SHRI M. ARUNACHALAM: I will examine it if he so feels; I have no objection, as I told you.

*27. [*The Questioner (Dr. Jagannath Mishra) was absent. For answer vide col. 34 infra.]*

Shutting Down of two blast furnaces in Bokaro and Bhilai Steel Plants

*28. SHRI JALALUDIN ANSARI:
SHRI GAYA SINGH:

Will the Minister of STEEL be pleased to state:

(a) whether it is a fact that the Steel Authority of India Ltd. (SAIL) has shut down two of its blast furnaces in Bokaro and Bhilai Steel Plants; and

(b) if so, the details thereof and reasons therefor?

†The question was actually asked on the floor of the House by Shri Jalaludin Ansari.